

Appln. No.: 10/672,852
RCE and Amendment dated July 26, 2006
In Reply to Advisory Action of July 14, 2006

REMARKS

Claims 1-27 are pending in the application. All of claims 1-27 were rejected in a final Office action mailed January 26, 2006, to which a response was filed June 26, 2006. All of claims 1-27 stand rejected in the Advisory Action mailed July 14, 2006, which entered amendments to the Specification, but did not enter amendments to the claims. Claims 1 and 15 are amended, and new claims 28-57 are added by this amendment. Claims 1, 15, 30 and 46 are independent claims, while claims 2-14 and 28, and claims 16-27 and 29, claims 31-45 and claims 47-57 depend either directly or indirectly from independent claims 1, 15, 30 and 46, respectively. The Applicants respectfully request reconsideration of the pending claims 1-27, and consideration of new claims 28-57, in light of the following remarks.

Amendments to the Claims

Claims 1 and 15 have been amended to more clearly describe the claimed subject matter. Support for the amendments may be found, for example, in paragraphs [53], [57], [61] and [62] of the Specification. Applicants respectfully submit that these amendments do not add new matter.

Rejection of Claims

Rejections under 35 U.S.C. §102

Claims 1-7, 10, 11, 15-21, and 24 were rejected under 35 U.S.C. 102(e) as being anticipated by Novak (US 2003/0097655 A1). The Applicants respectfully traverse the rejection. However, Applicants have amended claims 1 and 15 in order to further the Application towards allowance.

With regard to the anticipation rejections, MPEP 2131 states, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 2 USPQ2d 1051, 1053 (Fed.Cir. 1987). MPEP 2131 also states, “[t]he identical

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invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Regarding amended claim 1, the Applicants respectfully submit that Novak fails to teach, suggest, or disclose, for example, a system providing support for user transactions on a media exchange network, the system comprising a television display for consumption of media; a storage for storing media, and having an associated network address; set top box circuitry communicatively coupled to deliver media from the storage to the television display; an interface device for receiving from an authorization device associated with a user, information for authorizing a user transaction, the interface device communicatively coupled to the set top box circuitry; and server software that receives a request from a first user of the media exchange network, the request comprising at least one of the associated network address, information identifying the user transaction, and at least a portion of the information for authorizing a user transaction, and that responds by employing a user predefined association of the first user to a second user of the media exchange network to enable the completion of the identified user transaction with the second user, via a communication network, without divulging the identity of the first user. More specifically, Applicants respectfully submit that Novak fails to teach, suggest or disclose server software that receives a request from a first user of the media exchange network, the request comprising at least one of the associated network address, information identifying the user transaction, and at least a portion of the information for authorizing a user transaction, and that responds by employing a user predefined association of the first user to a second user of the media exchange network to enable the completion of the identified user transaction with the second user, via a communication network, without divulging the identity of the first user. To the contrary, Novak repeatedly states that the user identity is handed to the verification entity. (see, e.g., [0091]-[0095]). In addition, Novak is silent with respect to user predefined association of first and second users.

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The Applicants respectfully submit, therefore, that Novak fails to teach or suggest all of the elements of Applicants' claim 1 as amended, and that a rejection of claim 1 under 35 U.S.C. §102(e) cannot be maintained.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that Novak is different from and fails to anticipate the Applicants' invention as set forth in amended claim 1. The Applicants believe that claim 1 is allowable over Novak. Because claims 2-14 and 28 depend from claim 1, Novak is different from and fails to anticipate claims 2-14 and 28, as well. Therefore, the Applicants respectfully submit that claims 2-14 and 28 are also allowable over the Novak reference. The Applicants respectfully request that the rejection of claims 1-7, 10 and 11 under 35 U.S.C. §102(e), be withdrawn.

Regarding amended claim 15, the Applicants respectfully submit that Novak does not teach, suggest, or disclose, for example, a system providing support for user transactions on a media exchange network, the system comprising a television display for consumption of media; a storage for storing media; set top box circuitry communicatively coupled to deliver media from the storage to the television display; an interface device for receiving from an authorization device associated with a user, information for authorizing a user transaction, the interface device communicatively coupled to the set top box circuitry; and server software that receives a request from a first user, and that responds by employing a user predefined association of the first user to a second user of the media exchange network to enable the completion of the user transaction with the second user, via a communication network, without divulging the identity of the first user. Applicants respectfully submit that Novak fails to teach or suggest server software that responds by employing a user predefined association of the first user to a second user of the media exchange network to enable the completion of the user transaction with the second user, via a communication network, without divulging the identity of the first user. To the contrary, Novak repeatedly states that the user identity is handed to the verification entity. (see, e.g., [0091]-

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[0095]). In addition, Novak is silent with respect to user pre-defined association of first and second users.

The Applicants respectfully submit, therefore, that Novak fails to teach or suggest all of the elements of Applicants' claim 15 as amended, and that a rejection of claim 15 under 35 U.S.C. §102(e) cannot be maintained.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that Novak is different from and fails to anticipate the Applicants' invention as set forth in amended claim 15. The Applicants believe that claim 15 is allowable over Novak. Because claims 16-27 and 29 depend from claim 15, Novak is different from and fails to anticipate claims 16-27 and 29, as well. Therefore, the Applicants respectfully submit that claims 15-27 and 29 are also allowable over the Novak reference. The Applicants respectfully request that the rejection of claims 15-21 and 24 under 35 U.S.C. §102(e), be withdrawn.

Rejections under 35 U.S.C. §103

Claims 8, 9, 12-14, 22, 23, and 25-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Novak (US 2003/0097655 A1) in view of Russell et al. (US 2004/0044627 A1 hereinafter "Russell"). The Applicants respectfully traverse the rejection.

With regard to an obviousness rejection, MPEP 2142 states that in order for a prima facie case of obviousness to be established, three basic criteria must be met, one of which is that the reference or combination of references must teach or suggest all the claim limitations. Further, MPEP 2143.01 states that "the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art suggests the desirability of the combination", and that "although a prior art device 'may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so'" (citing *In re Mills*, 916 F. 2d 680, 16 USPQ 2d 1430 (Fed Cir. 1990)). Moreover, MPEP 2143.01 also states that the level of ordinary skill in the art cannot be relied upon to provide the suggestion..., citing *Al-Site Corp. v. VSI Int'l Inc.*, 174 F. 3d 1308, 50 USPQ 2d. 1161 (Fed Cir. 1999).

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Regarding claims 8, 9, 12-14, 22, 23 and 25-27 the Applicants respectfully submit that claims 8, 9 and 12-14 and claims 22, 23 and 25-27 depend either directly or indirectly from independent claims 1 and 15, respectively. Applicants believe that amended claims 1 and 15 are allowable over the proposed combination of references, in that Russell fails to overcome the deficiencies of Novak, as set forth above. Because claims 8, 9 and 12-14 and claims 22, 23 and 25-27 depend, respectively, from independent claims 1 and 15, Applicants respectfully submit that claims 8, 9, 12-14, 22, 23 and 25-27 are allowable over the proposed combination of Novak and Russell, as well. Therefore, for at least the reasons set forth above, Applicants respectfully request that the rejection of claims 8, 9, 12-14, 22, 23 and 25-27 under 35 U.S.C. §103(a) be withdrawn.

Newly Added Claims

The Applicants have added new claims 28-57. Claims 28 and 29 are dependent claims depending from independent claims 1 and 15, respectively. Claims 30 and 46 are independent claims, from which claims 31-45 and 47-57 depend, respectively. Applicants respectfully submit that new claims 30-57 are similar in many respects to pending claims 1-27. Support for claim 28 and 29 may be found, for example, in Figs. 1A and 1B, and in paragraphs [32], [34] and [38] of the Application. Support for claims 30-57 may be found, for example, in Figs. 1A, 1B, 3 and 5, and in paragraphs [33]-[42], [51]-[57], [61] and [62] of the Application. Applicants respectfully submit that new claims 28-57 do not add new matter.

Conclusion

The Applicants believe that all of claims 1-57 are in condition for allowance. Should the Examiner disagree or have any questions regarding this submission, the Applicants invite the Examiner to contact the undersigned at (312) 775-8000 for an interview.

A Notice of Allowability is courteously solicited.

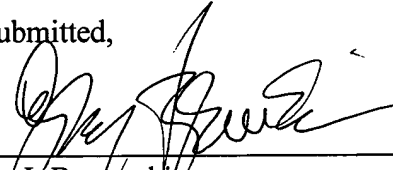
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The Commissioner is hereby authorized to charge any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,

Dated: July 26, 2006

By



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